

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JACQUELINE MINION,

Plaintiff,

Case No. 12-12128

v.

Hon. John Corbett O'Meara

EXEL, INC., *et al.*,

Defendants.

**ORDER GRANTING DEFENDANTS'
MOTION TO DISMISS INDIVIDUAL DEFENDANTS**

Before the court is Defendants' motion to dismiss the individual defendants, filed November 9, 2012. Plaintiff filed a response November 28, 2012. Defendants submitted a reply brief on December 12, 2012. The court did not hear oral argument.

Plaintiff filed this action against her former employer, Exel, Inc., and several current or former Exel employees, alleging violations of Title VII of the Civil Rights Act of 1964 and the Michigan Elliot-Larsen Civil Rights Act. The court declined to exercise supplemental jurisdiction over Plaintiff's state law claims and dismissed them on June 15, 2012. Plaintiff's remaining claims arise under Title VII.

Defendants seek dismissal of the individual defendants because individual employees have no liability under Title VII. See Wathen v. General Elec. Co., 115 F.3d 400, 404-406 (6th Cir. 1997) ("[W]e find that the statute as a whole, the legislative history and the case law support the conclusion that Congress did not intend individuals to face liability under the definition of "employer" it selected for Title VII."); Little v. BP Exploration & Oil Co., 265 F.3d 357, 362 (6th Cir. 2001) ("The law in this Circuit is clear that a supervisor who does not otherwise qualify as

an employer cannot be held personally or individually liable under Title VII.”). Plaintiff suggests that, as “agents” of Exel, the individual defendants are liable under Title VII. This argument was rejected in Wathen, however. 115 F.3d at 405. The law is clear that individual employees or supervisors are not subject to Title VII liability.

Accordingly, IT IS HEREBY ORDERED that Defendants’ motion to dismiss the individual defendants is GRANTED. Plaintiff’s claims against Dave Streber, Dennis Bryant, Dave Cavendar, Tom Vannocker, and John Ecker are DISMISSED WITH PREJUDICE.

SO ORDERED.

s/John Corbett O'Meara
United States District Judge

Date: January 22, 2013

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, January 22, 2013, using the ECF system.

s/William Barkholz
Case Manager